

1 **JOINTLY SUBMITTED**

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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 ANTHONY MURPHY, an individual, and
10 ANNETTE MURPHY, an individual,

11 Plaintiffs,

12 v.

13 HILTON GRAND VACATIONS d/b/a
14 HILTON RESORTS CORP.,

15 Defendant.

16 HILTON RESORTS CORPORATION, a
17 Delaware Corporation,

18 Counter-Plaintiff,

19 v.

20 ANTHONY MURPHY, an individual,
21 ANNETTE MURPHY, an individual, and
22 TOTTEN, FRANQUI, DAVIS & BURK,
23 LLC, a Florida Limited Liability Company,

24 Counter-Defendants.

25 Counter-Defendants.

Case No.: 2:19-cv-00024-RFB-EJY

**Stipulation and Order to Dismiss Counter-
Defendant Totten Franqui Davis & Burk,
LLC Without Prejudice**

26 Defendant/Counter-Plaintiff Hilton Resorts Corporation (“Hilton”), and Counter-
27 Defendants Totten, Franqui, Davis & Burk, LLC (“TFDB”), by and through their respective
28 counsel of record, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree:

1. Based on TFDB’s bankruptcy filing, all claims asserted by Hilton against TFDB shall be dismissed without prejudice.

2. The hearing on TFDB's Motion to Dismiss, currently scheduled for August 22, 2019, should be vacated as moot.
3. Each party shall bear its own attorneys' fees and costs.
4. All other claims and defenses in this case remain in full force and effect.

Dated this 14th day of August, 2019.


Totten, Franqui, Davis & Burk, LLP

Greenspoon Marder LLP

/s/ Christopher Burk, Esq.
CHRISTOPHER D. BURK, ESQ.
Nevada Bar No. 8976
Counter-Defendant

/s/ Phillip A. Silvestri, Esq.
PHILLIP A. SILVESTRI, ESQ.
Nevada Bar No. 11276
Attorneys for Counter-Plaintiff

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 16th day of August, 2019.